

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NEW YORK

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BLACK LOVE RESISTS IN THE RUST, et al.,

Plaintiffs,

Case No. 1:18-cv-719

- vs -

CITY OF BUFFALO, N.Y., et al.,

Defendants.

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**PLAINTIFFS' NOTICE OF MOTION AND MOTION TO COMPEL DEFENDANTS TO
COMPLY WITH COURT'S MAY 30, 2019 DISCOVERY ORDER AND OTHER
DISCOVERY OBLIGATIONS**

PLEASE TAKE NOTICE that Plaintiffs will move this Court, pursuant to Federal Rules of Civil Procedure 37(a)(3)(B)(iii) & (iv), on a return date to be determined by the Court, for an Order compelling Defendants: (i) to comply with their obligations under the Federal Rules and, specifically, this Court's May 30, 2019 directive, to begin a rolling production of ESI; (ii) to locate and produce BPD Housing Unit, Traffic Unit and Strike Force Monthly and Daily Reports, and (iii) to supplement their answer to Interrogatory 1. Plaintiffs further request that the Court grant them an award of reasonable expenses, including attorney's fees, associated with Plaintiffs' making this motion pursuant to Federal Rule of Civil Procedure 37(a)(5)(A).

In support of this motion, Plaintiffs file a Memorandum of Law in Support of the Motion to Compel and the Declaration of Claudia Wilner, with accompanying attachments. Plaintiffs affirm that they have in good faith conferred in an effort to obtain relief without court action but were not successful in doing so.

Pursuant to Local Rule 7(a)(1), Plaintiffs hereby state that they intend to file and serve reply papers. Pursuant to Local Rule 7(b)(2)(B), if the Court does not set deadlines by order, any

opposition will be due within fourteen days of today, and any reply papers will be due within seven days of the filing of opposition papers.

Dated: July 24, 2019

Respectfully Submitted,

/s/ Keisha A. Williams

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* *Application for admission forthcoming.*